

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAR 22 1993

Returned to applicant for correction.....

Corrected application filed..... Map filed MAR 22 1993

The applicant ROBERT BOTTOM (TRUSTEE), BOTTOM FAMILY TRUST

P.O. Box 89 of Tonopah
Street and No. or P.O. Box No. City or Town

Nevada 89049
State and Zip Code No.

hereby make S application for permission to change the
Point of Diversion and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application #25616, Certificate of Record
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

No. 10984. Said water appropriated by Maude H. Goering and was
identify right in Decree.

Certificated on the 31st of July 1984. Deeds are on file by the
above named Applicant and are awaiting Assignment.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.278 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining and Domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Mining and Domestic purposes
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the SE 1/4 NE 1/4 of Section 23, T.8N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.43E., M.D.B. & M., or at a point where the NE corner of said Section
distance to a section corner. If on unsurveyed land, it should be stated.
23 bears N.28°41'15"E., 2,195.69 feet distant.

6. The existing permitted point of diversion is located within the NE 1/4 NW 1/4 of Section 19, T.8N.,
If point of diversion is not changed, do not answer.
R.44E., M.D.B. & M., or at a point whence the N 1/4 corner of said
Section 19 bears N.88°24'E., 891.0 feet distant.

7. Proposed place of use in the SW 1/4 NW 1/4 of Section 23, T.8N., R.43E., M.D.B. & M.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
upon unpatented lode mining claims owned by Applicant.

8. Existing place of use in the NE 1/4 NW 1/4 of Section 19, T.8N., R.44E., M.D.B. & M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well has been drilled and is presently
State manner in which water is to be diverted, i.e. diversion structure,
being utilized under Temporary Permit #56378T.
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$25,000.00

13. Estimated time required to construct works Works are complete under 56378T

14. Estimated time required to complete the application of water to beneficial use 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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By s/ Wallace T. Boundy
P.O. Box 242
Tonopah, NV 89049

Compared gkl/jv ab/vw

Protested.....

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 25616, Certificate 10984 is issued subject to the terms and conditions imposed in said Permit 25616, Certificate 10984 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.278 cubic feet per second, but not to exceed 26.88 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 11, 1995
Proof of completion of work shall be filed before May 11, 1995
Application of water to beneficial use shall be made on or before April 11, 1997
Proof of the application of water to beneficial use shall be filed on or before May 11, 1997
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 23 1995
Proof of beneficial use filed MAY 28 1997
Cultural map filed.....
Certificate No. 14671 Issued AUG 14 1997

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 11th day of April,
A.D. 19 94
R. Michael Turnipseed
State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.